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COUNSEL FOR THE DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re	§	
	§	Case No. 13-33404-HDH-11
Gary R. Griffith	§	
	§	
Debtor.	§	(Chapter 11)

**OBJECTION TO MOTION OF TODD AARON AND DAWN AARON FOR
ALLOWANCE AND PAYMENT OF ADMINISTRATIVE CLAIMS
PURSUANT TO BANKRUPTCY CODE SECTION 503(b)**

Gary R. Griffith (the "**Debtor**"), by and through his undersigned counsel, hereby files this Objection (the "**Objection**") to the Motion (the "**Motion**") for Allowance and Payment of Administrative Claims Pursuant to Bankruptcy Code Section 503(b) filed by Todd Aaron and Dawn Aaron (the "**Claimants**"). In support of this Objection, the Debtor states:

1. Pursuant to 11 U.S.C. § 542, the Claimants had a unilateral duty to turnover property of the estate to the Debtor upon the filing of the case. If Claimants wished to condition the turnover of the Debtor's property, the Claimants had the duty to seek adequate protection of their interests from the Court. The Claimants have never requested relief from the Court prior to the instant Motion and have maintained control of property of the estate in violation of 11 U.S.C. § 542. Accordingly, the "damages" incurred by the Claimants are wholly due to their failure to comply with 11 U.S.C. § 542 and should be disallowed.

2. Alternatively, in the event that the Court is inclined to award Claimants an administrative expense, the appropriate measure of damages is the “benefit conferred” upon the Debtor (the market cost of storing the Debtor’s personalty), rather than a contract rate of damages which applies to a non-existing, non-executory residential lease of a home which was terminated pre-petition by the Claimants.

WHEREFORE, PREMISES CONSIDERED, the Debtor requests that the Motion be denied, and that the Debtor be granted all other relief as justice may require.

Dated: November 27, 2013.

Respectfully submitted,

By: /s/ Howard Marc Spector
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing pleading was served via electronic notification to all parties who receive ECF in this case on November 27, 2013.

/s/ Howard Marc Spector
Howard Marc Spector